



State of Colorado – Sole Source Justification

Section 24-103-205, C.R.S., as amended

TYPE or CLEARLY PRINT ALL INFORMATION

(Attach Additional Pages as Needed)

You **MUST** complete this form before beginning any procurement where the basis for vendor selection is:

- ✓ Only one product or service can reasonably meet your need. AND
- ✓ Only one vendor can reasonably provide that product or service.

(You **MUST** meet **BOTH** criteria to have a sole source procurement. Procurement Rule R-24-103-205-01)

Department: Colorado Department of Education

Division: Information Management Systems

Address

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Contact

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Rich Wenning, Associate

Department Approving Official Name: Commissioner

Date: April 17, 2009

Department Approving Official

Signature:

National Center for the Improvement of Educational

Vendor Name: Assessment

FEIN #: 020501917

One Washington Street

One Washington Center

Suite 234

Vendor Address: Dover, NH 03820

Phone: (603) 516-7900

Describe in detail the products and/or services to be procured and how they meet your needs.

The Colorado Department of Education (CDE) is seeking a sole source contract with the National Center for the Improvement of Educational Assessment (NCIEA) to finalize implementation of the Colorado Growth Model fulfilling HB 07-1048 and Senate Bills 09-163, train CDE personnel to calculate quantities necessary for the Colorado Growth Model, rollout professional development to districts, schools, and teachers statewide associated with the Colorado Growth Model, and design approaches to transition the Colorado Growth Model and accountability systems when the new state assessment system is implemented.

The Colorado Growth Model provides a common understanding of how individual students and groups of students progress from year to year toward state standards based on where each individual student begins. CDE must have the support of NCIEA to coordinate the calculation of the requisite statistics associated with the Colorado Growth Model and to develop and deploy the engaging interactive reporting tools using the Adobe Flex/AIR platform.

To ensure that CDE can share the Growth Model with school districts, schools and other non-profit organizations, all software, research reports, studies, or data produced by NCIEA is the exclusive property of CDE.

On May 28, 2008, CDE published a Documented Quotation (DQ) seeking a vendor to develop a Flex-based software application and user interface. The evaluation team unanimously found that the quote from NCIEA most effectively met CDE's requirements.

On October 7, 2008 CDE published a DQ seeking a vendor to expand analysis, reporting and utilization of Colorado's Growth Model, a model originally set forward by HB 07-1048. The evaluation team determined that the quote from NCIEA most effectively met the Department's requirements as described in the DQ. NCIEA's quote provided a

comprehensive approach to the statement of work, and clearly demonstrated competency in the areas of student growth percentile calculations and No Child Left Behind (NCLB) federal reporting requirements. NCIEA's quote also outlined the skills and experience of three highly qualified persons who are very familiar with the Colorado Growth Model and education data systems.

Have you procured products and/or services from this vendor in the past 2 years? If Yes explain ☐ No ☒ Yes
NCIEA, under contract with CDE, invented and implemented the methodology associated with the Colorado Growth Model, developed and verified the decision rules and developed the reporting systems and the technical quality evaluations in the Colorado Growth Model.

Start Date: July 1, 2009

End Date: June 30, 2014

Estimated Total Dollars for this Procurement: \$ 5,000,000

Provide estimated cost breakdown of supplies and/or services covered by this procurement:

Supplies \$ _____ Services \$ 5,000,000

Attach a detailed explanation of Vendor's Sole Source Status – what is the basis for your identifying this as a sole source?

NCIEA invented and implemented the methodology associated with the Colorado Growth Model, designed the reporting tools currently being used and deployed by CDE to disseminate the results of the Colorado Growth Model to stakeholders statewide, and developed and verified the decision rules for the Colorado Growth Model. NCIEA is the only vendor who can alter and/or revamp the design of the system based on its specialized knowledge and unique national qualifications in the area of student growth measurements. In association with CDE the work is protected against commercial use under the Creative Commons Non-Commercial, Share-and-Share Alike License 3.0 and is patent pending. NCIEA employs the only technical consultants who have experience implementing this methodology and have used the Colorado Growth Model statistical techniques in conjunction with the reporting mechanisms currently being deployed in Colorado. Therefore, NCIEA is the only vendor who can complete the tasks listed above.

NCIEA has a competitive rate structure with daily, all inclusive billing rates averaging between \$1500 and \$1700 per day, depending on the specific staff member working on the project. The contract has deliverables which generally have not to exceed thresholds. CDE has examined the rate structures of several individuals and companies that provide technical educational consulting services and while CDE does not think that any of these other companies possess the combination of expertise, creativity, and flexibility of NCIEA, their fees were quite similar to NCIEA's. This provides an advantage to Colorado in that as long as the scope of work does not change, CDE will only be charged up to the amount on the particular contract and often less. NCIEA's continued involvement is crucial to further evolve and tailor the Colorado Growth Model to meet future needs. After careful analyses of a variety of assessment/accountability contractors, CDE believes that NCIEA provides a very competitive cost/benefit ratio.

✓ Do you have an actual or potential conflict of interest in this purchase request? ☒ No ☐ Yes
✓ If yes, please explain on an attached sheet.

Purchasing Use Only: Comments: *** *Approved for one time purchase as described on this request* ***

✓ How is pricing deemed fair & reasonable per §24-103-403? _____

Group I Authorization: _____

Agency Purchasing Representative

Date

4/29/09

Approved: _____

State Purchasing Director or Authorized Representative

Date

4/29/09

Approval for posting
[Signature]